Lsp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO. 72 of 1995

The State of Maharashtra ..Appellant
v/s.
Shri Janu Gosavi Patil
(deceased through his legal heirs
Smt. Janabai Janu Patil & ors.) ..Respondents

Mr.S.N. Gawade, AGP for the Appellant

Mr. K.N.Kore for Respondent

CORAM : ANOOP V. MOHTA,J.
DATED : 17th September, 2007

P.C.

This Court by order dated 17-1-2005 in First Appeal no. 1132 of 1994 between State of Maharashtra v/s. Rajaram and further in first appeal no. 512 of 1992 State of Maharashtra v/s. Sadanand Patil dated 21-12-2005 have dismissed all the State appeals whereby the challenge was made to the grant of enhancement of compensation at the rate of Rs. 10/- per sq.feet.

2. Heard the learned Counsel appearing for the parties. Both the parties fairly pointed out that the judgment passed by this Court in the above case covers the facts and circumstances of the present case also as lands are identically placed and situated in village

Ghotivali which is in Taluka and District Thane and the land acquisition references arising out of the same dispute and in the same villages have been duly assessed and this Court in all those matters has maintained the compensation at the rate of Rs. 10/- per square meter.

3. Therefore, taking note of all these factors as well as facts and circumstances of the case and as the enhanced compensation as awarded is just and fair, there is no reason to disturb the findings arrived at by the Learned trial Court and especially when there is no cross objection filed by the claimant.

4. Resultantly, the appeal is dismissed. No order as to costs.

[ANOOP V. MOHTA,J.]